

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA)	
)	
)	No. 3:07-CR-81
V.)	(PHILLIPS/SHIRLEY)
)	
ROBERT BENNETT)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(c) for disposition or report and recommendation regarding disposition by the district court as appropriate.

This matter came before the undersigned on August 9, 2007, for a motion hearing on defendant's pro se Letter/Motion to Appoint New Counsel [Doc. 9], filed on July 31, 2007. Tracee Plowell, Assistant United States Attorney, was present representing the government and Richard Gaines was present representing the defendant. The defendant was also present. On August 2, 2007, the defendant also filed a Letter/Motion to Withdraw the aforementioned letter [Doc. 13].

Counsel for the defendant represented to the court that the defendant's pro se Letter/Motion to Appoint New Counsel [Doc. 9] was no longer an issue and that he wished to have the Court issue an order which would moot the motion. The defendant stated in open court that he wished to have Mr. Gaines continue as counsel of record. The government had no objection.

Therefore, the Letter/Motion to Appoint New Counsel [**Doc. 9**] is **DENIED**
AS MOOT and the Letter/Motion to Withdraw Document [**Doc. 13**] is hereby **GRANTED**.

IT IS SO ORDERED.

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge